

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **MIGUEL ANGEL RIVERA GARCIA**
SSN xxx-xx-6059

CASE NO: **22-01976-EAG**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **07/06/2022**

First Meeting Date: **08/11/2022 at 8:40AM**

Days From Petition Date: **36**

341 Meeting Date: **08/11/2022 at 8:40AM**

910 Days Before Petition: **01/08/2020**

Confirmation Hearing Date: **09/02/2022 at 2:30PM**

Chapter 13 Plan Date: **07/06/2022** ☐ Amended

Plan Base: **\$31,200.00** Plan Docket # **4**

This is Debtor(s) **2** Bankruptcy petition.

This is the **1** scheduled meeting.

Payment(s) ☒ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$0.00**

Check/MO# **28062418421**

Date: **8/8/2022** Amount: **\$ 520.00**

*APPEARANCES: ☒ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

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Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): **RFC**

☐ Pro-se

☒ Creditor(s) Present ☐ None

VELEZ-HACIENDA

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$570.00** Outstanding (Through the Plan): **\$3,430.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)
Projected Disposable Income: **\$ 0.00**

☐ The Trustee cannot determine debtor's/s' commitment period at this time.

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$1,101.00

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: 22 %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED

☐ HELD OPEN FOR ____ DAYS until _____ pursuant to 1308. After this date the meeting is deemed CLOSED.

§341 Meeting Rescheduled for: _____

Comments:

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor must submit the insurance quote for the vehicle being paid in full through the plan.

[1325(a)(4)] Plan fails Creditors Best Interest Test.

Debtor's property has an estimated value of at least \$92,000.00 per comparables.
Also, Debtor's vehicle has an estimated value of \$3,500.00.

Part 4: Priority

Debtor's plan fails to include a provision for the payment of the priority debt included in Hacienda's claim no. 1.

*OTHER COMMENTS / OBJECTIONS

Oriental Bank and USDA, secured creditors provided for in the plan, are yet to file their proof of claims. In absence of such claims, Debtor must submit evidence to support the secured status provided for creditors in the case.

Trustee to verify the maturity date of the loan. The loan might mature within the life of the plan.

/s/ Jose R. Carrion, Esq. Meeting Date: Aug 11, 2022
Trustee

/s/ Nannette Godreau, Esq., Presiding Officer